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UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE CENTER FOR INVESTIGATIVE
REPORTING and AURA BOGADO,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,

Defendant.

No. 20-cv-00608-SK

**STIPULATION CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE AND ORDER**

Plaintiffs The Center for Investigative Reporting and Aura Bogado ("Plaintiffs") and defendant United States Department of Health and Human Services ("Defendant"), through their undersigned counsel, hereby stipulate pursuant to Civil Local Rule 6-2 and 7-12, subject to the approval of the Court, that the initial case management conference ("CMC") set for December 20, 2021 at 1:30 p.m. be continued to February 7, 2022 at 1:30 p.m., with the parties' joint CMC statement due on January 31, 2022. This stipulation is based on the following facts:

1. This action, filed on January 27, 2020 under the Freedom of Information Act ("FOIA"), identifies five FOIA requests directed to Defendant, dated July 10, 2019, November 27, 2019, December 2, 2019, December 6, 2019, and December 17, 2019, that are the subject of this litigation. Since the filing of the lawsuit, the parties have engaged in cooperative and productive communications regarding

the documents sought in the requests and the search for and release of responsive records.

2. In their prior submissions to the Court, the parties reported that they had reached an agreement that would resolve this action and were completing the final part of that agreement, *i.e.*, Defendant's review and production of significant incident reports to Plaintiffs at an agreed-upon rate. ECF No. 48 at 2. Accordingly, the parties previously stipulated and respectfully requested that the Court continue their CMC from July 19, 2021 until December 20, 2021 to give them time to continue this process, *id.*, which the Court granted. ECF No. 52.

3. In order to continue this process, the parties stipulate and respectfully request that the Court continue the CMC currently scheduled for December 20, 2021 at 1:30 p.m. until February 7, 2022 at 1:30 p.m. The parties will provide a further update to the Court regarding their progress either in a request and proposed order continuing the CMC or in a joint CMC statement on or before January 31, 2022. The parties respectfully submit that this is the most efficient manner to proceed and will conserve the parties' and Court's resources.

In accordance with Civil Local Rule 5-1(h)(3), the filer of this document attests that all signatories listed below concur in the filing of this document.

Respectfully submitted,

DATED: December 13, 2021

STEPHANIE M. HINDS
Acting United States Attorney

/s/ Savith Iyengar
SAVITH IYENGAR
Assistant United States Attorney

DATED: December 13, 2021

THE CENTER FOR INVESTIGATIVE REPORTING

/s/ D. Victoria Baranetsky
D. VICTORIA BARANETSKY

Attorney for Plaintiffs

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IT IS SO ORDERED.


SALLIE KIM
United States Magistrate Judge